

Louisiana Insurers' Conference

**ANNUAL LOUISIANA
INSURANCE COMPLIANCE
SEMINAR & LEGISLATIVE REVIEW**

August 5-7, 2015
Renaissance Hotel | Baton Rouge, LA



COMPLIANCE CONNECTIONS

HEALTH FORM FILINGS

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PART ONE – FILING REQUIREMENTS

La. R.S. 22: 972 (A)

- No health insurance form may be issued, delivered, or used in Louisiana unless it has been filed with and approved by the Department
- Filings must be submitted at least 60 days prior to use



PART ONE – FILING REQUIREMENTS

LDI Regulation 78 – Policy Form Filing Requirements

- A complete filing is the filing of a single insurance product
 - Items required in complete product filings:
 - Filing Fee
 - Statement of Compliance
 - Policy Forms
 - Application/Enrollment Forms
 - Amendment, Rider or Endorsement Forms
 - Sample ID Cards
 - Initial Premium Rates and Classification of Risks



PART ONE – FILING REQUIREMENTS

Association, Trust for an Association or Multiple Associations

- **La. R.S. 22: 1000 and Regulation 78, 10107.C.2.e**
 - Each participating association:
 - Must be actively in existence for at least five (5) years
 - Must be formed and maintained for purposes other than obtaining insurance
 - Cannot condition membership on any health-status related factor
 - Cannot make an offer of health insurance other than in connection with a member of the association



PART ONE – FILING REQUIREMENTS

Association, Trust for an Association or Multiple Associations

- **La. R.S. 22: 1000 and Regulation 78, 10107.C.2.e**
 - Additional filing requirements:
 - Association's Constitution
 - Association's Articles of Incorporation
 - Association's By-laws
 - Association's Membership Application, Membership Agreement and Brochure of Membership Benefits



PART ONE – FILING REQUIREMENTS

Trusts

- **La. R.S. 22: 1000 and Regulation 78, 10107.C.2.f**
 - Filings of health and accident products intended for issuance to a trust are limited to trusts established by an employer, an association, or to a multiple employer trust established by an insurer on behalf of participating employers.



PART ONE – FILING REQUIREMENTS

Trusts

- **La. R.S. 22: 1000 and Regulation 78, 10107.C.2.f**
 - Additional filing requirements:
 - True Agreement
 - Articles of Incorporation (or other instrument creating the trust)
 - Member Adoption Agreement
 - Multiple Associations must also include association documents from previous slide



PART ONE – FILING REQUIREMENTS

Exceptions to a Complete Filing

- **Regulation 78, 10107.D.**
 - Exceptions to the requirements for a complete filing may be allowed at the discretion of the department for the following policy forms:
 - Application Forms or Enrollment Forms
 - Policy form filings and dates approved must be identified for each previously approved product with which the forms will be used
 - Identification Cards
 - Medicare Supplement Advertising



PART ONE – FILING REQUIREMENTS

Exceptions to a Complete Filing

- Filings of Amendatory Riders or Endorsements are permitted if:
 - Product to be altered was originally approved no more than three years prior to the amendatory rider or endorsement filing
 - SERFF or LDI tracking number and dates approved must be identified for each previously approved product with which the forms will be used
 - Redline documents must consist of a complete form that clearly identifies all amended portions
 - Compliance Affidavit



PART ONE – FILING REQUIREMENTS

Exceptions to a Complete Filing

- Filings of Amendatory Riders or Endorsements are permitted if:
 - Filing is to bring a product into compliance with the law that has been granted approval and is currently in force, but no longer being marketed
 - SERFF or LDI tracking number and dates approved must be identified for each previously approved product with which the forms will be used
 - Redline documents must consist of a complete form that clearly identifies all amended portions



PART ONE – FILING REQUIREMENTS

- **Reminders**

- Bulletin 2015-04

- Plan Binder Filings are due to be completed with Associated Schedule Items by September 1, 2015

- Network Adequacy Filings, pursuant to La. R.S. 22:1019.2, are due January 1 of each year by submitting:

- A copy of accreditation by NCQA, URAC or AAALH;
 - An Access Plan; or
 - A letter stating no network used
 - SERFF or LDI tracking number and dates approved must be identified for each previously approved product with which the forms will be used
 - Redline documents must consist of a complete form that clearly identifies all amended portions



PART ONE – FILING REQUIREMENTS

- **Reminders**

- Prior Authorization Form for prescription drug benefits, pursuant to La. R.S. 22: 1006.1, is due now if an issuer has not already filed and then only when replaced or modified
- Directive 205 Data Call template is due every March 1st
- HIPAA Assessment Worksheet is due every March 1st
- Medicare Supplement/Medicare Select quarterly and annual filings

QUESTIONS ON FILING REQUIREMENTS?

